

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT PAUL MITCHELL,

Defendant.

CR-06-102-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 29, 2019. (Docs. 75.) Robert Mitchell (Mitchell) filed objections on October 15, 2019. (Doc. 80.) The Court reviews de novo findings and recommendations to which a party objects. 28 U.S.C. § 636(b)(1).

Judge Johnston conducted a revocation hearing on October 29, 2019. (Doc. 77.) The United States accused Mitchell of violating his conditions of supervised

release by failing to notify his probation officer of a change in residence. Mitchell admitted to the allegation. (Doc. 75 at 2.)

Mitchell now opposes Judge Johnston's Findings and Recommendations, objecting to the recommended sentence of 9 months in custody and requests to allocute before the undersigned. (Doc. 80.)

The Court conducted a revocation hearing on November 18, 2019. (Doc. 82.) The Court has also considered the 18 U.S.C. § 3553(a) factors and agrees with Judge Johnston's Findings and Recommendations in part. Mitchell's violation of his condition represents a serious breach of the Court's trust. This violation proves serious and warrant revocation of Mitchell's supervised release. Judge Johnston has recommended that the Court revoke Mitchell's supervised release and commit Mitchell to the custody of the Bureau of Prisons for nine months. (Doc. 78 at 3.) Judge Johnston further has recommended a term of life of supervised release follow period of custody with the first 60 days of supervised release spent in a secure inpatient drug treatment facility. (Doc. 75 at 4.)

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 75) are ADOPTED IN PART.

IT IS FURTHER ORDERED that Defendant Robert Matthew Mitchell, Sr. be sentenced to custody for seven months, followed by a lifetime of supervised

release with the first 60 days of supervised release spent in a secure inpatient drug treatment facility.

DATED this 18th day of November, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Brian Morris
United States District Court Judge

